

**REMARKS**

By this amendment no claims have been amended, claims 62-66, 68-70, and 99-100 have been cancelled, and new claims 115-121 have been added. Accordingly, claims 1-61, 71-83, 85-98, 101-121 are pending in this reissue application. No new matter has been added. Applicant requests the timely reexamination and allowance of this reissue application.

**Election/Restriction**

In the Office Action mailed October 11, 2006 ("the Office Action"), claims 1-61, 71-83, 85-98, and 101-114 characterized as being drawn to a steerable machine were restricted from claims 62-66, 68-70, and 99-100 characterized as being drawn to a method of operating a machine. Claims 62-66, 68-70, and 99-100 were withdrawn from further consideration. Claims 62-66, 68-70, and 99-100 have been cancelled herein. Accordingly, Applicant requests that the restriction set forth in the Office Action be withdrawn.

**Allowable Subject Matter**

Applicant would like to thank the examiner for indicating in the Office Action that claims 1-61 and 71-83, 85-98, and 101-114 are allowed. In light of the cancellation of withdrawn claims 62-66, 68-70, and 99-100 and the remarks set forth below, Applicant submits that this reissue application is in proper form for allowance.

**Indefinite Rejections**

In the Office Action claim 103 was rejected under 35 U.S.C. § 112, second paragraph as being indefinite. Specifically, claim 103 was rejected as allegedly being unclear regarding the recitation of "control circuit" and to what "control circuit" refers.

See paragraphs 6 and 7 on page 4 of the Office Action. Applicant respectfully traverses this rejection. The requirement of 35 U.S.C. § 112, second paragraph require, *inter alia*, that the claims particularly point out and distinctly define the scope of the claimed subject matter. See MPEP § 2172. That is, whether the scope of the claim is clear to a hypothetical person of ordinary skill in the art. See *id.* The threshold requirement for definiteness is whether the claim meets the requirements of clarity and precision and not whether more suitable language or modes of expression are available. See MPEP § 2173.02.

Applicant submits that the term “control circuit” is clear to one of ordinary skill in the art and, thus, Applicant submits that claim 103 is definite. Specifically, each of the terms “control” and “circuit” have reasonably ascertainable definitions and the combination of such terms does not render them unclear. That is, the term “control circuit” as recited in claim 103 is reasonably construed to mean a circuit that controls and is configured to coordinate movement of the at least one rear and at least one front hydraulic actuators. Accordingly, Applicant submits that claim 103 is definite and request the rejection thereof under 35 U.S.C. § 112, second paragraph be withdrawn.

#### **Objections to the Drawings and Specification**

The drawings were objected to under 37 C.F.R. § 1.83(a) for failing to show the “control circuit” recited in claim 103. The specification was objected to under MPEP § 608.01(o) and 37 C.F.R. § 1.75(d)(1) as failing to provide proper antecedent basis for the “control circuit” recited in claim 103. Applicant submits that these objections are addressed for similar reasons as set forth above with respect to the indefinite rejection of claim 103. Specifically, lines 1 to 24 of column 4 and Fig. 7 clearly show and

describe a circuit that controls and is configured to coordinate movement of the at least one rear and at least one front actuator. Accordingly, Applicant requests that the objections to the drawings and specification be withdrawn.

### **New Claims**

Newly added claims 115-121 depend from independent claims 1, 9, 48, 71, 77, 103, 107, respectively, and are allowable for at least the same reasons as independent claims 1, 9, 48, 71, 77, 103, 107 are allowable.

### **Conclusion**

In view of the above, Applicant respectfully submits that pending claims 1-61, 71-83, 85-98, 101-121 are in condition for allowance. Accordingly, Applicant respectfully requests reconsideration and reexamination of this reissue application and timely allowance of the pending claims.

The Office Action contains characterizations of the claims with which Applicant does not necessarily agree. Unless expressly noted otherwise, Applicant declines to subscribe to any statement or characterization of the Office Action.


If the Examiner believes a telephone conversation might advance prosecution, the Examiner is invited to call Applicant's undersigned representative at 202-408-4397.

Please grant any additional extensions of time required to enter this response  
and charge any additional required fees to our Deposit Account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: March 12, 2007

By:   
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**Appendix A**

<b>Claims</b>	<b>Exemplary Support for Amendments/New Claims</b>
115-121	See, e.g., lines 16-45 of column 4 and Figs. 5 and 6.